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August 13, 2003

CERTIFICATE OF MAILING 37 C.F.R 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

August 13, 2003

Date

Robert E. Hanson

Mail Stop Non-Fee Amendment

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

e: SN 09/756,467`"INBRED CORN PLANT 5750 AND SEEDS THEREOF"

by Kevin D. Eichelberger

Our Ref. DEKA: 260US; Client Ref. [34-63(51666)]

RECEIVED

AUG 2 2 2003

Sir:

TECH CENTER 1600/2900

Please find enclosed:

- 1. An Amendment and Response to Office Action Dated May 14, 2003, with Appendix A; and
- 2. A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

Should any fees be required under 37 C.F.R. §§ 1.16 to 1.21 for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski L.L.P. Account No.: 50-1212/DEKA:260US.

Respectfully submitted,

Robert E. Hanson

REH/vv Enclosures 25326685.1 / 10026964





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Kevin D. Eichelberger

Serial No.: 09/756,467

Filed: January 8, 2001

For: INBRED CORN PLANT 5750 AND

SEEDS THEREOF

Group Art Unit: 1638

Examiner: Unknown

Atty. Dkt. No.: DEKA:260US/REH

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the date below:

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AMENDMENT AND RESPONSE TO OFFICE ACTION DATED MAY 14, 2003

RECEIVED

Mail Stop Non-Fee Amendment Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

AUG 2 2 2003 TECH CENTER 1600/2900

Sir:

This paper is submitted in response to the Office Action dated May 14, 2003, for which the three-month date for response is August 14, 2003. No fees are believed to be due in connection with the instant paper, however, should such fees be due consider this paragraph a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 from *Fulbright & Jaworski, L.L.P.* Account No. 50-1212/DEKA:260US.

Reconsideration of the application is respectfully requested.